

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:
MARIA DE LOS ANGELES RIVERA SERRANO

DEBTOR (S)

CASE NO. 10-09122-ESL

CHAPTER 13

**AMENDED TRUSTEE'S UNFAVORABLE REPORT
ON PROPOSED POST CONFIRMATION PLAN MODIFICATION**

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under **11 U.S.C. §1329**, for the confirmation of a Chapter 13 Plan.

Debtor(s)' Income: **Above Median / 60 months commitment period.**

Gen Unsecured Pool: **\$0.00**

The **LIQUIDATION VALUE** of the estate has been determined in **\$6,213.00**

R2016 STM. \$3,000.00

TOTAL ATTORNEYS FEES THRU PLAN: \$2,574.00 Fees paid: \$2,574.00 Fees Outstanding: \$0.00

With respect to the proposed (amended) Plan dated: **3/21/2011** (Dkt 29).

Plan Base: **42,900.00**

The proposed (amended) plan can not be confirmed because it has the following deficiencies:

- Feasibility [§1325(a)(6)]: There is/are no allowed claim(s) for creditor(s) dealt in the plan [FRBP RULE 3021].

Plan provides for the payment of secured arrears to Asociación de Condómines Brisas de Miraflores. The claims filed by such entity (Claims 5 and 6), were disallowed per orders issued by this Court on May 4, 2011 (Dockets 31 and 32).

- Other/Comments

Debtor must amend the plan to state that the Court will retain jurisdiction over complaint filed by Debtor against the Cooperativa A/C Guaynabo. At this time, the plan states that the Trustee will retain jurisdiction.

Due to the above described deficiencies in the proposed plan the Trustee Objects to the Confirmation of the same.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(s), and to her/his/their attorney through CM-ECF notification system.

In San Juan, Puerto Rico this May 17, 2011.

/s/ Alexandra Rodriguez -Staff Attorney

JOSE R. CARRION
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ARD